



P.B. 5618 - Patentlaan 2
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PATENT- UND RECHTSANWÄLTE
HANSMANN VOGESER BOECKER ALBER

Datum/Date
08.11.02

Zeichen/Ref./Réf. 52964 281	Anmeldung Nr./Application No./Demande n° // Patent Nr./Patent No./Brevet n° 99942549.9-2406/US9919902
Anmelder/Applicant/Demandeur//Patentinhaber/Proprietor/Titulaire The Research Foundation of the State University of New York	

COMMUNICATION

The European Patent Office herewith transmits the supplementary partial European search report under Rule 46(1) EPC relating to the above-mentioned European patent application.

Copies of the documents cited in the search report are enclosed.

The applicant's attention is drawn to the following:

The search Division informs the applicant that if the European search report is also to cover inventions other than the invention first mentioned in the claims, a further search fee must be paid for each of these inventions, within ONE MONTH after notification of this communication.

If the application has been filed up to 30 June 1999, the search fee in force before 01 July 1999 (EUR 869,--) or the equivalent applicable on the date of payment is payable.

This applies also to the search fees requested under Rule 46(1) EPC.

See also OJ EPO 06/1999, 405.

☐ The abstract was modified by the Search Division and the definitive text is attached to the present communication.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.



Note to users of the automatic debiting procedure:

Unless the EPO receives prior instructions to the contrary, the search fee(s) will be debited on the last day of the period for payment. For further details see the Arrangements for the automatic debiting procedure, Supplement to OJ EPO 02/1999.

REGISTERED LETTER



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. Claims: 1,4-7,10-14,21,24-27,32,35-38 (totally),
43-57 (partially)

alpha subunit of eag-like potassium channel elk1 (SEQ ID NO:2), subject-matter related thereto and uses thereof.

2. Claims: 2,8,15-17,22,28,30,33,39,41 (totally),
43-57 (partially)

alpha subunit of eag-like potassium channel elk2 (SEQ ID NO:3), subject-matter related thereto and uses thereof.

3. Claims: 3,9,18-20,23,29,31,34,40,42 (totally),
43-57 (partially)

alpha subunit of eag-like potassium channel eag2 (SEQ ID NO:4), subject-matter related thereto and uses thereof.



European Patent
Office

**SUPPLEMENTARY
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

under Rule 46, paragraph 1 of the European Patent Convention EP 99 94 2549

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
D,Y	WARMKE JW ET AL: "A family of potassium channel genes related to eag in Drosophila and mammals" PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF USA, NATIONAL ACADEMY OF SCIENCE. WASHINGTON, US, vol. 91, no. 8, 12 April 1994 (1994-04-12), pages 3438-3442, XP002092026 ISSN: 0027-8424 * the whole document *	1,4-7, 10-14, 21, 24-27, 32, 35-38, 43-57	C07K14/00 C07K14/435 C12N5/16 C12N15/12 C12N15/63 G01N33/53 G01N33/566
Y	MEYER R ET AL: "CHARACTERIZATION OF AN EAG-LIKE POTASSIUM CHANNEL IN HUMAN NEUROBLASTOMA CELLS" JOURNAL OF PHYSIOLOGY, XX, XX, vol. PART 1, no. 508, 1 April 1998 (1998-04-01), pages 49-56, XP001087844 ISSN: 0022-3751 * the whole document *	1,4-7, 10-14, 21, 24-27, 32, 35-38, 43-57	TECHNICAL FIELDS SEARCHED (Int.Cl.7) C07K
LACK OF UNITY OF INVENTION			
<p>The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:</p> <p>see sheet B</p> <p>The present partial European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims.</p>			
Place of search MUNICH		Date of completion of the search 20 August 2002	Examiner Schwachtgen, J-L
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	

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EPO FORM 1503 03.82 (P04C23)



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
A	WO 96 13520 A (PAUSCH MARK HENRY ;AMERICAN CYANAMID CO (US); PRICE LAURA ALICIA () 9 May 1996 (1996-05-09) * the whole document * -----	1,4-7, 10-14, 21, 24-27, 32, 35-38, 43-57	
P,X	SHI W ET AL: "Cloning of a mammalian elk potassium channel gene and EAG mRNA distribution in rat sympathetic ganglia" JOURNAL OF PHYSIOLOGY,, vol. 511, no. PART 3, 15 September 1998 (1998-09-15), pages 675-682, XP002095399 ISSN: 0022-3751 * the whole document * -----	1,4-7, 10-14, 21, 24-27, 32, 35-38, 43-57	TECHNICAL FIELDS SEARCHED (Int.Cl.7)

EP 99 94 2549

20-08-2002

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9613520 A	09-05-1996	US 5559026 A	24-09-1996
		AU 4146996 A	23-05-1996
		EP 0789712 A	20-08-1997
		JP 10508473 T	25-08-1998
